

*2-24-cv-03934-MEF-JBC
file in case*

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UNITED STATES DISTRICT COURT
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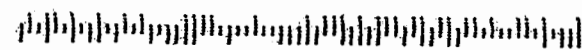
Lawrence L. Crawford 300839
K.C.I.
HD-134
4848 Gold Mine Hwy.
Kershaw, SC 29067
3:24-cv-246-CRS DN 3 w/form

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USDC KYWD - Notice Of Deficiency (Rev. 1/09)

**United States District Court
Western District of Kentucky
at Louisville**

NOTICE OF DEFICIENCY

TO: Lawrence L. Crawford, Alton Chisolm and Anthony Cook
CASE #: 3:24-cv-246-CRS
STYLE OF CASE: Crawford et al v. McKinley et al
DOCUMENT TITLE: Complaint
DATE: 4/18/2024
BY: D. Whitney/DEPUTY CLERK

Please be advised that the recent filing of the above cited document with the Clerk's Office is deficient as indicated below:

FILING FEE OR APPLICATION TO PROCEED WITHOUT PREPAYMENT OF FEES. You must either pay the filing fee or file a fully completed Application to Proceed Without Prepayment of Fees and Affidavit. (See 28 U.S.C. § 1915.) Form Attached hereto.

PRISON TRUST ACCOUNT STATEMENT. You must file a certified copy of your jail/prison trust account statement for the six (6) month period preceding filing of the application to proceed without prepayment of fees. (See 28 U.S.C. § 1915(a)(2))

OR

\$ 405.00 FILING FEE. To be paid in full.

YOU ARE GRANTED 30 DAYS FROM THIS DATE TO REMEDY THE DEFICIENCY OR DEFICIENCIES IDENTIFIED ABOVE. FAILURE TO COMPLY WITHIN 30 DAYS, WITHOUT GOOD CAUSE SHOWN, WILL RESULT IN THIS MATTER BEING BROUGHT TO THE ATTENTION OF THE COURT

OFFICE OF THE CLERK
UNITED STATES DISTRICT COURT
106 Gene Snyder U.S. Cour.
601 W. Broadway
Louisville, KY 40202-2249

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3:24-cv-00246-CRS DN 9/IFP App
Lawrence L. Crawford, 300839
K.C.I.
HD-134
4848 Gold Mine Hwy.
Kershaw, SC 29067

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File in case 2:24-cv-03934-MEF-JBC
no notice

**UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF KENTUCKY
AT LOUISVILLE
CIVIL ACTION NO. 3:24-CV-P246-CRS**

**LAWRENCE L. CRAWFORD
A/K/A JONAH GABRIEL JAHJAH T.
TISHBITE *et al.***

PLAINTIFF

v.

SENIOR JUDGE JOSEPH H. MCKINLEY, JR. *et al.*

DEFENDANTS

MEMORANDUM AND ORDER

This action was filed by three Plaintiffs – Lawrence L. Crawford, a/k/a Jonah Gabriel JahJah T. Tishbite, Alton Chisolm, and Anthony Cook. Crawford and Cook are prisoners at Kershaw Correctional Institution in South Carolina, and Chisolm is not a prisoner. As Defendants, they name the Honorable Senior Judge Joseph H. McKinley, Jr., the United States Congress and Senate, the Pope and Catholic Archdiocese of Kentucky, the Attorneys General for Kentucky and South Carolina, and others.

This matter is before the Court upon two pending motions. Crawford and Chisolm filed a motion “for waiver and or in the alternative to expand the scope and for inclusion” (DN 5). They refer to an attached application to proceed without prepayment of fees filed by Chisolm, which was docketed as a separate docket entry (DN 6). They move for “waiver of sending the 6 month financial statement in for this case due to these cases being multi-district litigation and there is state interference in obtaining additional copy of the recent financial statement that is now filed under Case 24-cv-659-PD in the Philadelphia District Court a multi-district litigation case” They state that “there is no need to be redundant as it pertains to this filing since the proper filing in forma pauperis documents filed under the Philadelphia District Court case are the same as needed for the Kentucky District Court case.”

On Chisolm's non-prisoner application to proceed without prepayment of fees, where the form requests financial information, Chisolm states, "See 6 month financial statement filed under Case No. 24-cv-659-PD in Philadelphia court multi-district litigation case." The application provides none of the financial information requested.

When a prisoner files an application to proceed without prepayment of fees, he must file a certified copy of his prison trust account statement for the six months immediately preceding the filing of the complaint. However, Chisolm is not a prisoner, and his application to proceed without prepayment of fees was filed on the non-prisoner form. Therefore, it is unclear what "6 month financial statement" Chisolm is referring to. Moreover, the Court cannot waive any requirements for proceeding without the prepayment of fees because a plaintiff has met the requirements in another case in another court. Further, while Crawford and Chisolm suggest that this case is part of a multi-district litigation panel, it is not; this is a standalone case. For these reasons,

IT IS ORDERED that the motion "for waiver and or in the alternative to expand the scope and for inclusion" and application to proceed without prepayment of fees (DNs 5 and 6) are **DENIED**.

In addition, neither Crawford nor Cook filed prisoner applications to proceed without prepayment of fees or paid any portion of the filing fee. In the case of multiple plaintiffs initiating an action together, the Sixth Circuit directs that each plaintiff pays a proportionate share of the filing fee. *Talley-Bey v. Knebl*, 168 F.3d 884 (6th Cir. 1999). Therefore, if all three Plaintiffs proceed with this action jointly, each Plaintiff would be responsible for payment of one-third of the \$405 filing fee, or \$135. Thus,

IT IS FURTHER ORDERED that each Plaintiff shall either pay their \$135 portion of the filing fee or file an application to proceed without prepayment of fees within 30 days from the entry date of this Order. Crawford and Cook shall also file a certified copy of their prison trust account statements for the six months immediately preceding the filing of this action.

Should any Plaintiff wish to pay his portion of the filing fee, checks shall be made payable to Clerk, U.S. District Court and mailed to the following address: Office of the Clerk, United States District Court, Western District of Kentucky, 601 West Broadway, Ste. 106, Louisville, KY 40202-2249.

The Clerk of Court is **DIRECTED** to send Crawford and Cook a prisoner application to proceed without prepayment of fees and affidavit form and to send Chisolm a non-prisoner application to proceed without prepayment of fees and affidavit form with the instant civil action number affixed to the caption of each.

Plaintiffs are each WARNED that failure to comply with this Order in the time allotted will result in his dismissal from this action.

Date: June 11, 2024

A handwritten signature in black ink, appearing to read 'Charles R. Simpson III', is written over a circular, textured background that resembles a seal or stamp.

**Charles R. Simpson III, Senior Judge
United States District Court**

cc: Plaintiffs, *pro se*
4411.010

AGREEMENT TO DEBIT E.H. COOPER ACCOUNT

Inmate's Name:	SCDC #:	Housing Unit:	Date:
LAWRENCE L. CRAWFORD	300839	HD-134	5/2/24

GENERAL MATERIAL

** Inmate must have the funds in his/her account to pay for the materials.

To be completed by
SCDC staff:

Item	Amount
Envelope	
Pen	
Paper	
Postage	
Tape	
Box	
Electronic Repair	
Other	

Cost

Sub-Total:

LEGAL MATERIAL

** Inmate is not required to have the funds in his/her account to pay for the materials; however, his/her account must be debited for all materials s/he elects to receive.

To be completed by
SCDC staff:

Item	Amount
Envelope	
Pen	
Paper	
Postage	3
Other	

Cost
192
192

Sub-Total:

ATTONEY DERESTEIN AND 6 MONTH
STATEMENT TO KENTUCKY DISTRICT CT.

PHOTOCOPIES

** Inmate may be required to have funds in his/her account. See SCDC Procedure GA-01.03(OP), "Inmate Access to the Courts," to determine if inmate may receive copies with/without funds.

To be completed by
SCDC staff:

Item	Amount
Photocopies	

Cost
192
TOTAL

Inmate's Signature

Mailroom/Canteen Signature (Request filled by)

Date

White - Inmate
Canary - Mailroom/Canteen Employee